CCRB INVESTIGATIVE RECOMMENDATION

Investigator:	<u> </u>	Team:	CCRB Case #:	☐ Force	☑ Discourt.	U.S.
Latrice Frazier		Squad #1	201905471	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL	EO SOL
Saturday, 06/22/2019 11:49 AM, Saturday, 06/22/2019 11:00 PM		In front of 180 Powell Street; Inside PSA 2 (180 Powell Street)		73	12/22/2020	8/8/2021
Date/Time CV Reported		CV Reported At:	How CV Reported	: Date/Time	e Received at CCI	RB
Mon, 06/24/2019 8:29 AM		CCRB	Phone Mon, 06/24/2019 8:29 AM		I	
Complainant/Victim	Туре	Home Addr	ess	•		
Subject Officer(s)	Shield	TaxID	Command			
1. POM Abir Noor	21625	959847	PSA 2			
2. POM Stephen Penaranda	01487	937263	PSA 2			
3. POM Vincenzo Rallo	29780	954258	PSA 2			
Officer(s)	Allegation	on		Inv	estigator Recon	nmendation
A.POM Stephen Penaranda		esy: While in front of 1stephen Penaranda spok				
B.POM Vincenzo Rallo		Abuse: While inside of PSA2, Police Officer Vincenzo Rallo did not obtain medical treatment for \$87(2)(b)				
C.POM Vincenzo Rallo		Abuse: While inside of PSA2, Police Officer Vincenzo Rallo refused to provide his name to \$87(2)(b)				
D.POM Vincenzo Rallo		Abuse: While inside of PSA2, Police Officer Vincenzo Rallo refused to provide his shield number to \$87(2)(b)				
E.POM Vincenzo Rallo		Discourtesy: While inside of PSA2, Police Officer Vincenzo Rallo spoke discourteously to \$37(2)(6)				
F.POM Abir Noor		Discourtesy: While inside of PSA2, Police Officer Abir Noor spoke discourteously to \$87(2)(b)				
G.POM Abir Noor	Noor ma	Off. Language: While inside of PSA2, Police Officer Abir Noor made remarks to \$87(2)(b) based upon the gender of \$87(2)(b)				
H.POM Abir Noor	Abuse: V	While inside of PSA2, P	olice Officer Abir N the use of force.	oor		

Case Summary

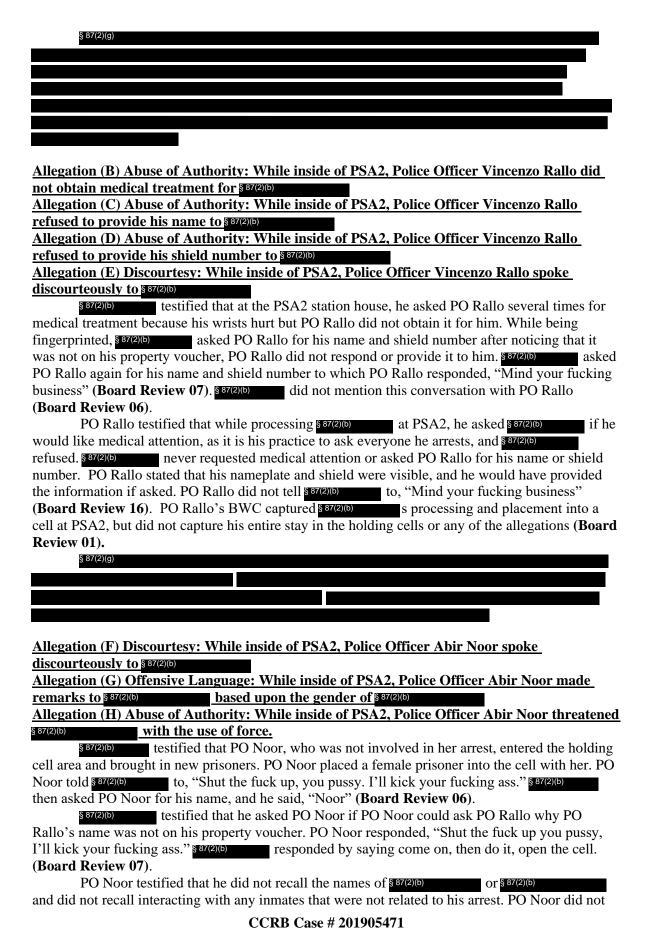
filed the following complaint with the CCRB via On June 24, 2019, § 87(2)(b) telephone. On June 22, 2019, Police Officer Stephen Penaranda and Police Officer Vincenzo Rallo of and § 87(2)(b) ■ While in the back of the police moved his handcuffs to the front of his body. PO Penaranda responded, "Now you are going to get the fuck up. Now you are going to get the fuck up" (Allegation A: Discourtesy-§ 87(2)(g) While being processed at PSA2, \$87(2)(5) allegedly told PO Rallo that he wanted medical treatment and did not receive treatment (Allegation B: Abuse of Authority -). While being fingerprinted in the holding cell area, \$87(2)(b) allegedly asked PO Rallo for his name and badge number and PO Rallo responded by saying, "mind your fucking business" (Allegations C and D: Abuse of Authority - \$87(2)(9) ; Allegation E: Discourtesy - § 87(2)(g) allegedly asked Police Officer Abir Noor of PSA2), § 87(2)(b) why his arresting officer's name was not on his property voucher. PO Noor responded saying, "Shut the fuck up, you pussy. I'll kick your fucking ass" (Allegation F: Discourtesy – ; Allegation G: Offensive Language – § 87(2)(9) ; Allegation H: Abuse of Authority - \$ 87(2)(g) Body-worn camera (BWC) footage captured this incident (Board Review 01, 02, 16, and 17). Additional BWC footage related to this incident (Board Review 18-22). Body-worn camera footage from PO Noor was not able to be obtained due to a sealed arrest related to another matter. PSA2 Stationhouse footage was obtained (Board Review 09, 10, 23, 24, and 25). was charged with § 87(2)(b) was charged with § 87(2)(b) **Findings and Recommendations** Allegation (A) Discourtesy: While in front of 180 Powell Street, Police Officer Stephen Penaranda spoke discourteously to \$87(2)(b) stated that when an officer first told him to stop, he walked away and then ran when the officer chased him. When the officer approached him a second time, he did not run and was subsequently placed in handcuffs. § 87(2)(b) did not make any complaints regarding his time inside the police vehicle. §87(2)(b) did not witness §87(2)(b) s apprehension. BWC from PO Rallo and PO Penaranda captured PO Rallo chasing \$87(2)(b) PO Rallo and PO Penaranda behind his back and placed him into the back of the police vehicle. Approximately 1 minute after being contained in the vehicle, PO Penaranda told PO Rallo that 887(2)(b) moved his handcuffs to the front. PO Rallo opened the back-passenger's door, where had his handcuffs in the front of his body. PO Penaranda stated to § 87(2)(b) "now you are going to get the fuck up. Now you are going to get the fuck up". \$87(2)(5) exited the vehicle and PO Rallo and PO Penaranda adjusted his handcuffs to the back (Board Reviews 01, 02, and **17**). PO Penaranda testified that the first time that he and PO Rallo approached [57(2)(b)] ran and the officers were unable to catch up to him. Approximately 25 minutes later, a NYCHA employee alerted them to \$87(2)(b) s presence in the area. \$87(2)(b) surrendered upon this second approach though was loud, cursing, and disputed his arrest. §87(2)(b) s subsequent act of adjusting his handcuffs to the front of his body was a red flag as \$87(2)(b) could have opened the door and run or broken the SUV windows. PO Penaranda used the word "fuck" in an effort to be assertive and control the situation. (Board Review 03). Officers are to be courteous and respectful to civilians Patrol Guide Procedure No: 203-10 (Board Review 04).

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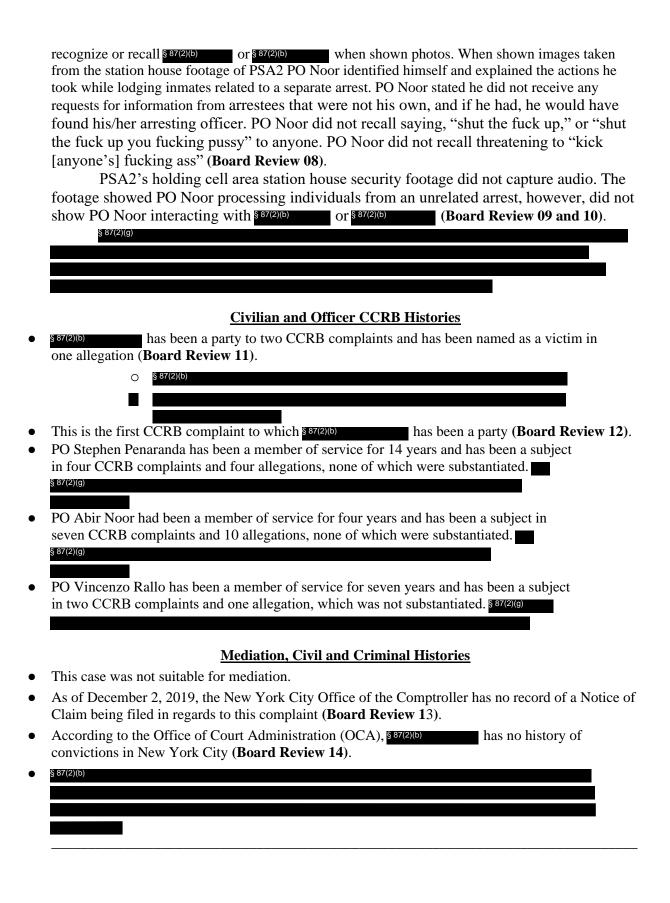
made during stressful situations or while an officer is trying to get a chaotic situation under control

In **DAO-DCT case number 2017-17005**, the trial commissioner held that profane remarks

are not misconduct, (Board Review 05).



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Squad No.: 1

Investigator: _	Inv. Frazier _		3.26.20	
· ·	Signature	Print Title & Name	Date	
Squad Leader:	Mgr. Joy Almeyda Signature	Print Title & Name	3.26.20 Date	
Reviewer:				
	Signature	Print Title & Name	Date	